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DATE FILED: 2/10/09

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware Corporation; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

v.

VIDEOEGG, INC. d/b/a VIDEOEGG.COM, a Delaware corporation; HI5 NETWORKS, INC. d/b/a HI5.COM; and DOES 1-10, inclusive,

Defendants.

Case No. 08 CV 5831

**STIPULATION AND ORDER  
OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by the undersigned, the attorneys for plaintiffs Capitol Records, LLC, Caroline Records, Inc., Virgin Records America, Inc., EMI Blackwood Music, Inc., EMI April Music, Inc., EMI Full Keel Music, Inc., EMI Virgin Music, Inc., EMI Robbins Catalog, Inc., EMI Waterford Music, Inc., EMI Grove Park Music, Inc., Colgems-EMI Music, Inc., and EMI Virgin Songs, Inc. (collectively, "Plaintiffs"), on the one hand, and defendants VideoEgg, Inc. d/b/a VideoEgg.com and Hi5 Networks, Inc. d/b/a Hi5.com, on the other hand, that the claims in Case No. 08-CIV-5831 be and hereby are

dismissed with prejudice pursuant to Fed. R. Civ. Pro. 41(a)(1), each party to bear its own fees and costs.

*7/06*  
*The Clerk is instructed to close this case and remove it from my docket.*

Dated: March 3, 2009  
New York, New York

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SO ORDERED:

Harold Baer 3/10/09  
Honorable Harold Baer,  
United States District Court Judge,  
Southern District of New York

dismissed with prejudice pursuant to Fed. R. Civ. Pro. 41(a)(1), each party to bear its own fees and costs.

Dated: March \_\_\_\_\_, 2009  
New York, New York

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Attorneys for Defendant VideoEgg, Inc.

SO ORDERED:

\_\_\_\_\_  
Honorable Harold Baer,  
United States District Court Judge,  
Southern District of New York